

MINUTES OF THE MEETING OF THE CITY COUNCIL

Wichita, Kansas, March 27, 2001
Tuesday, 9:07 A.M.

The City Council met in regular session with Mayor Knight in the Chair. Council Members Cole, Gale, Lambke, Martz, Pisciotte, Rogers; present.

Chris Cherches, City Manager; Gary Rebenstorf, Director of Law; Pat Burnett, City Clerk; present.

Rev. David McCord, Westside Christian Church, gave the invocation.

The pledge of allegiance to the flag was participated in by the Council Members, staff, and guests.

Minutes -- approved

The minutes of the regular meeting of March 20, 2001, were approved 7 to 0.

PUBLIC AGENDA

Robert B. Coyle – Property Removal from Residence.

Withdrawn from the Agenda.

Antoine Thompson – Dance Hall and Cabaret Operation Hours.

Was not present.

OFF AGENDA ITEM

CITY COUNCIL SALARIES.

Motion --

-- carried

Knight moved that the rules be set aside and the Item concerning Council Salaries, on the March 20, 2001, Agenda, be considered. Motion carried 7 to 0.

Motion --

-- carried

Knight moved that the Charter Ordinance be amended to provide that after June 7, 2001, the current salaries for City Council Members be increased \$5,000 annually for 2001, 2002, and 2003; the Mayor's salary be increased by thirds until equal to average County Commissioner's salary; and the Ordinance be placed on first reading. Motion carried 7 to 0.

CHARTER ORDINANCE

A Charter Ordinance of the City of Wichita, Kansas, pertaining to the salaries of the Mayor and City Council Members; amending Sections 1, 2 and 3 of Charter Ordinance no. 179; and repealing the original Sections thereof, introduced and under the rules laid over.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 466

NEW BUSINESS

CAMBRIDGE SUITES LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – CAMBRIDGE SUITES HOTEL EXPANSION. (District I)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 01-0416.

Public Hearing and Request for a Letter of Intent for Industrial Revenue Bonds (Cambridge Suites Hotel Expansion) (District I)

Cambridge Suites is a Wichita based hotel managed by Candlewood Hotel Co., Inc. located at 120 West Orme in downtown Wichita. Cambridge Suites is planning to add an additional twenty-four suites and a new gatehouse/office to its existing facility. Cambridge Suites is requesting a Letter of Intent for the issuance of Industrial Revenue Bonds in the amount of \$2 million for the purpose of acquiring, constructing, and equipping of a hotel complex located at the southwest corner of Kellogg and Main. Cambridge Suites is also requesting a 10-year tax abatement on the bond-financed property.

In 1975, Jack Deboer, Managing Partner, Wichita Residence Associates, L.P., opened the first Residence Inn in downtown Wichita. The hotel included sixty-four guest suites, a gatehouse/office facility and a swimming pool. It was operated as a Residence Inn until 1998. In that year, the hotel was extensively remodeled and converted to a Cambridge Suites hotel which is managed by Candlewood Hotel Co., Inc.

Cambridge Suites will be substantially expanded to include the addition of three, two-story buildings (pods) making up twenty-four new upscale guest suites, and a new gatehouse/office building. The viability of the existing sixty-four units is enhanced by the addition of the twenty-four new guest suites. The main entrance to the hotel will be moved to Main Street, near Kellogg, so that the entire complex will be reoriented toward the downtown area. The hotel complex will be leased to Wichita Residence Associates, L.P., Jack P. Deboer, Managing Partner, which will serve as tenant in the IRB lease.

An analysis of the uses of project funds is:

* Land	\$ 225,000
* Construction Costs	1,400,000
* Furniture, Fixtures & Equipment	170,000
* Financing and Closing Cost	55,000
* General Contingency	<u>150,000</u>
Total Cost of Project:	\$2,000,000

Wichita State University Center for Economic Development and Business Research carried out a cost-benefit analysis indicating benefit-to-cost ratios as follows:

City of Wichita	6.12 to one
Sedgwick County	1.82 to one
USD 259	1.13 to one
State of Kansas	12.20 to one

Cambridge Suites agrees to maintain a current EEO/AA Plan on file with the City, and to comply with all Letter of Intent conditions contained in the City's IRB Policy. The firm of Hinkle Elkouri, L.L.C. will serve as bond counsel in the transaction. The applicant has made arrangements to place the bonds with a local lender.

Cambridge Suites has also requested consideration of a 10-year, 100% tax abatement on all bond-financed property not currently on the tax rolls. In 1993, the City Council adopted a Downtown Hotel Incentive Policy that provides for IRB financing of expansion or renovation of existing hotels in the downtown area and sets the guideline for property tax abatement as 100% for five years.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 467

Cambridge Suites agrees to pay all costs of issuing the bonds and agrees to pay the City's \$2,500 annual IRB administrative fee for the term of the bonds. Under the City policy, Cambridge Suites qualifies for a 100% five year tax exemption on property purchased with bond proceeds. Other elements of the redevelopment project are eligible for the Neighborhood Revitalization Area Tax Credit program as well.

The estimated first year taxes on the proposed \$2 million expansion would be \$37,667 on real property improvements, and \$3,920 on personal property, based on the 2001 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (for the first year) \$41,587 of new taxes for the real and personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$12,118; County/State - \$11,631; and USD 259 - \$17,838.

Bond documents required for the issuance of the bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Rogers moved that the one-year Letter of Intent to Cambridge Suites Hotel in an amount not to exceed \$2,000,000, subject to Letter of Intent Conditions and a five-year 100% property tax abatement on all bond-financed property not currently on the tax rolls, be approved. Motion carried 7 to 0.

-- carried

RAND GRAPHICS

LETTER OF INTENT FOR INDUSTRIAL REVENUE BONDS – RAND GRAPHICS, INC.

(Districts IV and V)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 01-0417.

On June 20, 1995, City Council approved a five-year Letter of Intent for Industrial Revenue Bonds in an amount not-to-exceed \$5 million, and included a supplemental Letter of Intent in the amount of \$985,000 in February 1998, to Rand Graphics (Rand). Council also approved a ten-year 100% ad valorem property tax exemption on bond financed property. Under authority of the 1995 Letter of Intent, City Council has authorized issuance of Industrial Revenue Bonds to Rand in the amount of \$2.5 million in 1995 and \$3.5 million in 1998.

Rand is requesting another Letter of Intent for Industrial Revenue Bonds in an amount not to exceed \$10,000,000 for a four-year period. The bond proceeds will be used to equip and expand Rand's existing additional machinery equipment to be located at 2820 South Hoover and 500 South Florence. Rand is also requesting that the City Council grant an ad valorem tax abatement for a 10-year period in accordance with City policies.

Rand is a graphics arts and commercial print and screen products manufacturing company. Rand offers full creation and production and fulfillment services to its customers as well as complete finishing operations. Much of Rand's recent growth has come from its screen printing division. Among other items, Rand manufactures large and small banners and life size point of sale displays. Customers include Chevron, Hallmark, Inc., Chrysler Corporation, Apple Computer, WalMart, and Nabisco. Rand exports over 80% of its products outside the State of Kansas.

Rand Graphics, Inc. currently employs 188 people at its Wichita facilities. Current expansion plans for Rand, forecasts an increase in employment at the Wichita facility of approximately 32 people over the next five years.

Rand has a current approved EEO/AA Plan on file with the City's Purchasing Department.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 468

The substantial portion of bond proceeds will be used to acquire sophisticated screen printing, printing press and related equipment used in Rand's Litho Division. Potential also exists for proceeds to be used for smaller building expansion.

An analysis of the estimated uses of project funds is:

USES OF FUNDS

New Machinery Equipment	\$ 8,500,000
Building Improvements	<u>1,500,000</u>
Total Cost of Project:	\$10,000,000

Rand Graphics plans to privately place the bonds with a financial institution and anticipates 40% of the requested principal amount of bonds will be issued in the first year. The firm Triplett, Woolf & Garretson, L.L.C., Law Firm will serve as bond counsel in the transaction. Rand Graphics, Inc., agrees to comply with the City requirement contained in the Standard Letter of Intent Conditions. Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis based on the fiscal and economic impact and the results are as follow:

City of Wichita	1.53 to one
Sedgwick County	1.34 to one
USD 259	2.02 to one
State of Kansas	4.88 to one

Rand Graphics, Inc. agrees to pay all costs of issuing the bonds and the City's \$2,500 annual IRB administrative fee for the term of the bonds. Rand is requesting a 100% tax abatement of ad valorem property taxes on the project for a 5-year period on real and personal property financed with the bond proceeds, plus an additional 5 years only on real property, subject to Council review.

Over the term of the requested abatement, the amount of taxes abated on the proposed \$10,000,000 are estimated to be \$403,582 on real property improvements, and \$190,384 on personal property, based on the 2001 mill levy. Using the allowable tax exemption of 100 percent, the City would be exempting (over a ten-year term) \$593,966 of new taxes for the real and personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$173,070; County/State - \$166,122; and USD 259 - \$254,774.

Bond documents needed for the issuance of the bonds will be prepared by bond counsel. The City Attorney's Office will review and approve the form of bond documents prior to the issuance of any bonds.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Gale moved that the public hearing be closed; the Letter of Intent to Rand Graphics, Inc., for Industrial Revenue Bonds in an amount not-to-exceed \$10,000,000, and a 100% tax exemption for a 5-year term on real and personal property, plus an additional 5-years only on real property, subject to City Council review, and subject to the Standard Letter of Intent Conditions be approved; and the necessary signatures be authorized. Motion carried 7 to 0

-- carried

COMM. AIRCRAFT

TAX EXEMPTION REQUEST – COMMERCIAL AIRCRAFT PRODUCTS, INC. (District IV)

Allen Bell

Financial Projects Director reviewed the Item.

Agenda Report No. 01-0418.

Commercial Aircraft Products, Inc., located at 2311 S. Edwards in southwest Wichita, was founded in 1966. Commercial Aircraft Products is a manufacturer of aircraft components. Since inception, Commercial Aircraft has sustained consistent growth in sales and production while manufacturing parts for the aerospace industry. As a result, Commercial Aircraft has expanded its existing facility, which

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 469

includes construction of additional manufacturing space and the purchase of new equipment. Commercial Aircraft is now requesting approval of a five-plus-five year 100% Economic Development Tax Exemption on additional manufacturing space and new equipment in conjunction with the expansion project.

Commercial Aircraft manufactures flap system components as well as other electro-mechanical devices for the aerospace industry. Commercial Aircraft developed a complete line of swing-check valves for fuel and air, available in various sizes for different models of airplanes. Other fuel valves were developed including selector valves, both in-cabin and remote controlled. Commercial Aircraft has also developed other products such as brake master cylinders, door handles, sunvisors, vacuum selectors and cable tensioners. The company provides engineering, drafting, technical assistance, assembly, fabrication, and complete CNC machine shop services.

The expansion project includes construction of approximately 23,900 s.f. of additional manufacturing space at an estimated cost of \$538,769, and the purchase of new equipment at a cost of \$516,398. Commercial Aircraft currently employs 20 employees. As a result of the expansion project, Commercial Aircraft will create 5 new jobs over the next five years. Commercial Aircraft exports 95% of all production out of Kansas via Boeing and Raytheon. The expansion project was completed in 2000 subsequent to filing a Letter of Intent to request property tax exemption in June 1999. The real property improvements are to be leased to Commercial Aircraft Products, Inc., by Bobby and Barbara Nance, owners of the company.

TAX EXEMPTION ELIGIBILITY

ELIGIBLE %	INCENTIVE	EXPLANATION
15.0%	New Job Creation:	Commercial Aircraft will create at least 5 new jobs.
17.0%	Capital Improvements:	Commercial Aircraft will invest at least \$1,055,167.
32.0%	Sub Total Business - Incentive Eligibility (Maximum allowed is 50%)	
47.5%	Export Premium:	Commercial Aircraft exports 95% of its product outside Kansas.
47.5%	Sub Total – Export Premium (Maximum allowed is 50%)	
79.5%	TOTAL EXEMPTION ALLOWED UNDER BUSINESS INCENTIVE POLICY	

Under the City's Business Incentives Policy, Commercial Aircraft Products, Inc. is eligible for 79.5% tax exemption on new real and personal property for a five-year term and 39.75% exemption on real property only for a second five-year term, subject to Council review. A notice of public hearing has been published. Commercial Aircraft Products, Inc., has agreed to comply with the conditions set forth in the Business Incentive Policy.

The estimated first year taxes on the proposed \$1,055,167 expansion would be \$11,524 on real property improvements, and \$9,466 on personal property, based on the 2001 mill levy. Using the allowable tax exemption of 79.5 percent, the City would be exempting (for the first year) \$20,990 of new taxes for the real and personal property tax rolls. The tax exemption will be shared among the taxing entities as follows: City - \$6,116; County/State - \$5,871; and USD 259 - \$9,003.

Wichita State University Center for Economic Development and Business Research calculated a cost-benefit analysis indicating benefit-to-cost ratios, which are as follow:

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 470

City of Wichita	2.53 to one
Sedgwick County	2.07 to one
USD 259	2.61 to one
State of Kansas	15.22 to one

Mayor Knight Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion -- Gale moved that the public hearing be closed; the Ordinance granting a 79.5% tax exemption on the identified real and personal property improvements for a five year term, and a 39.75% exemption on real property only, for a further five-year period, subject to City Council review, be placed on first reading. Motion carried 7 to 0.

-- carried

ORDINANCE

An Ordinance exempting property from Ad Valorem taxation for economic development purposes pursuant to Article II, Section 13, of the Kansas Constitution; providing the terms and conditions for ad valorem tax exemption; and describing the property of Commercial Aircraft Products, Inc., so exempted, introduced and under the rules laid over.

BUILDERS ASSN.

RESOLUTION CONSIDERING THE ESTABLISHMENT OF A REDEVELOPMENT DISTRICT (TAX INCREMENT FINANCING) FOR WICHITA AREA BUILDERS ASSOCIATION (WABA). (District VI)

Allen Bell Financial Projects Director reviewed the Item.

Agenda Report No. 01-0419.

Wichita Area Builders Association (WABA) is in the process of constructing a new office building at Market and Main between Pine and Murdock Street. The facility will be occupied by the Wichita Homebuilders but is only a part of a longer-range plan to develop the entire block. The new Wichita Area Builders Association building will have 9,500 s.f. and WABA is planning to construct a two-story 10,900 s.f. office facility, plus parking and appropriate landscaping on the remainder of the property. The appraised value of the new building will be approximately \$1.5 million. WABA is requesting tax increment financing (TIF) assistance to assist with acquisition and clearance of a portion of the redevelopment site.

Tax increment financing (TIF) allows the increased property tax revenue that results from the redevelopment of run-down property to be reinvested in the redevelopment. When a TIF district is established and a redevelopment plan is adopted by City Council, the increased tax revenue is set aside by the County Treasurer and can be used by the City to repay bonds issued to finance certain improvements that are specified in the redevelopment plan.

The first step in establishing the tax increment district is the adoption of a Resolution which states that the City Council is considering the establishment of the TIF district and sets May 1, 2001, as the date for a public hearing on the matter. The Resolution directs the City Clerk to publish the Resolution in the City's official newspaper and to mail copies to the owners and occupants of all property located within the district, by certified mail.

The Resolution also includes a map of the proposed district and a proposed comprehensive plan identifying potential redevelopment project areas and a general description of buildings and facilities to be constructed or improved.

The cost of mailing the Resolution to all owners and occupants of property located within the district will be charged to Economic Development General Fund and ultimately paid from TIF revenues.

The actual establishment of the tax increment financing district will not be effective until the City Council adopts an ordinance for that purpose, following the aforementioned public hearing. The Board

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 471

of County Commissioners and the Board of Education for USD 259 will have 30 days following the establishment of the district to determine whether the district will have an adverse impact on them.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Cole moved that the Resolution providing notice of consideration of establishment of a redevelopment district at Main to Market, between Pine and Murdock, and setting a public hearing on

-- carried

May 1, 2001, at 10:30 a.m., be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-114

A Resolution stating the City is considering the establishment of a Redevelopment District for the WABA Redevelopment District under authority of K.S.A. 12-1770 Et Seq., presented. Cole moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

MIDTOWN STREETS TWO-WAY MIDTOWN STREETS. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No.01-0420.

In 1955 numerous Traffic Commission meetings were held to discuss proposals to make traffic one-way on Broadway, Emporia, Water and Wichita, as well as lengthening the present one-way designations on Market and Topeka. The area considered for converting two-way streets to one-way included not only the Midtown area north of the Central Business District, but also the area south of the Central Business District extending south to Pawnee. The proposals were being made to relieve traffic congestion in the downtown area. In October 1957 the City Commission approved the proposed plan to convert the following streets to one-way:

--Market to one-way northbound (from one-way southbound).

--Topeka to one-way southbound (from one-way northbound).

--Main to one-way southbound.

--Emporia to one-way northbound.

--St. Francis to one-way southbound.

As St. Francis Hospital has grown and expanded over the years, numerous changes to Topeka, Emporia, St. Francis and Santa Fe have been approved and implemented that have rendered the usefulness and efficiency of the one-way street system in the area north of Central ineffective in facilitating traffic flow in and out of the Central Business District area. The changes made because of St. Francis expansions include:

--St. Francis, between Murdock and 10th Street, was re-routed to the east side of the hospital complex.

--St. Francis, between Central and Murdock was converted from one-way to two-way.

--Emporia, north of the Emergency Room was vacated and closed, with northbound Emporia traffic routed to Topeka from 8th to 10th Streets. More recently, Emporia north of Murdock was vacated and closed, with northbound Emporia traffic routed to Topeka at Murdock.

The conversions were approved and made to provide additional capacity on the streets leading to the Central Business District.

In response to citizen requests, dating back to 1993, Council Member Cole asked for a study of the feasibility of converting Emporia, Topeka, and St. Francis from one-way to two-way between Central & 17th Street. The 2000-2009 Capital Improvement Program funded this study in 2000.

A traffic impact study for two-way conversion of Mid-Town streets was completed in December 2000. The results of the study were presented to the District VI Advisory Board on January 17, 2001. The

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 472

DAB heard neighborhood comments and staff answered questions, however, no action was taken. The board discussed the conversion at its February 20, 2001 meeting and voted to approve the conversion.

Topeka would be converted from one-way southbound to two-way (one lane northbound and one lane southbound) from Central to Murdock. The width of Topeka, north of Central, can accommodate a southbound left-turn bay if parking on one side of the street is restricted for a distance of about 300 feet. Topeka, from Murdock to 10th, was converted to two-way in 2000 in conjunction with site changes at Via Christi St. Francis. Topeka, north of 10th to 17th would be striped to allow one lane of travel in each direction. Parking would remain with the exception of removing approximately 120 feet of parking on opposite sides of the intersection at the streets that are offset (i.e. Topeka & 12th).

Emporia, north of 10th to 17th would be striped to allow two-way traffic and would have the same parking restrictions mentioned above for Topeka. At this time, staff recommends that the section of Emporia from Central to Murdock remain one-way until the Council has reviewed the CORE redevelopment plan for this area.

St. Francis currently is two-way from Central to Murdock and is a private street north of Murdock. St. Francis north of 10th to 17th would be converted in the same manner as Emporia and Topeka from 10th to 17th.

In order to accommodate two-way traffic the traffic signals at Central, Murdock, 13th and the crosswalk north of 16th on Topeka would have to be modified. At the neighborhood meeting in January, some residents questioned whether the signals at 13th could be removed. Staff is currently investigating the need for the signals.

Modifications to 10th Street from Topeka to St. Francis would also be required to accommodate two-way traffic. The improvements would include removal of directional medians.

The estimated cost to convert the streets from one-way to two-way varies significantly depending upon the extent of pavement and signal modifications. Staff estimates that a bare bones project to provide the minimal pavement marking, signing and traffic signal modifications will cost \$225,000. If all street and traffic signal modifications suggested in the traffic impact study were to be implemented, the total cost would rise to \$1.2 million.

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|---------------------|--|
| Mayor Knight | Mayor Knight said he understood why the Hospital wanted the immediate change but he did not see other requests in the same light. |
| Council Member Cole | Council Member Cole stated that this request was initiated by the neighborhoods who are asking that the streets be returned to the way they were before 1957. There were neighborhood and DAB meetings which resulted in the Item being brought forward to the City Council. |
| Mayor Knight | Mayor Knight asked whether this had been to the Downtown Planning Council as there implications to merchants and businesses. |
| Chris Cherches | City Manager said this could be referred to the Downtown Development Group and the SSMID Board for review and comment. |
| Mayor Knight | Mayor Knight inquired if anyone wished to be heard. |
| Janie Kroll | Janie Kroll, 1313 North Emporia, said two-way streets would slow and reduce traffic, and would be less confusing for drivers. |
| Steven Rozell | Steven Rozell said the streets should be left as they are. People are used to the present configuration and two-way streets would not be safer for children. The downtown arterials are the way they are for a reason. |
| Lynn Ziegler | Lynn Ziegler said, if the streets are changed, the whole city will be confused. Every change adds to confusion. |

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 473

- Charles Esters Charles Esters, 1201 North Emporia, said he would like the street to remain as it is. It will keep traffic down and be safe for children.
- Allen Fearey Allen Fearey, President of Historic Midtown Area, endorsed conversion to two-way. General consensus was that the intersections do not need to be configured, and stop signs should be placed at 13th Street.
- Victor Balderas Victor Balderas said he had canvassed the people in the neighborhood and all were totally opposed to change on St. Francis.
- Lois Snyder Lois Snyder said two-way traffic would increase traffic on Emporia. The change does not warrant the expense.
- Elaine Elaine _____, North Emporia, spoke against change which would be more dangerous. Also, the stop light at 13th and Emporia should not be removed.
- Sybil Strum Sybil Strum spoke against two-way streets.
- Harold Yeager Harold Yeager, North Topeka, said he was unsure of his position; however, the change would increase traffic on North Topeka. His main concern was that consideration should be given to removing parking on the streets.
- Bradley Douden Bradley Douden, North Emporia, stated that he was undecided. There should be an over-all purpose for change and, so far, he has not heard a good purpose.
- Motion -- Cole moved that this Item be deferred for 90 days; the neighborhoods and Staff work to publicize and look at implications; return to City council with more specific recommendations within the 90 days.
- Mayor Knight Mayor Knight said he is interested in what everyone else thinks too.
- carried Motion carried 7 to 0.

Council Member Cole momentarily absent.

MAIN STREET

TWO-WAY MAIN STREET. (District VI)

Mike Lindebak

City Engineer reviewed the Item.

Agenda Report No. 01-0421.

In November 1956, the Traffic Commission approved the recommendation to make Main Street from 300' north of 13th to Harry southbound. The conversion was done in conjunction with other streets in the downtown area to facilitate and provide ease of circulation and additional capacity on the current streets. In February 1957, the City Commission approved Main Street to be made one-way southbound from 13th to Pawnee and Park Place be made one-way southbound from 24th to 17th. The conversions were completed in April 1958.

In 1995, in conjunction with the Downtown Improvement Plan, the City completed a project to convert Main Street from Douglas to Kellogg from one-way to two-way. The project included complete reconstruction of the street as well as streetscapes (i.e. trash receptacles, newspaper enclosures, benches, etc.).

To complete the conversion, the Capital Improvement Program includes a project to convert the next portion of Main Street from one-way traffic flow to two-way traffic flow from Douglas to Murdock. The firm of HWS Consulting Group was employed to study the possible conversion from Douglas to 17th Street North. The District VI Advisory Board held a neighborhood meeting on January 17, 2001, to receive neighborhood input. Residents north of 13th voiced their desire to retain Park Place (Main Street) as one-way north of 13th. The District VI Advisory Board again considered the item on

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 474

February 20, 2001, and voted to support the recommendation to change Main Street to two-way from Douglas to 13th Street.

The traffic analysis performed by HWS indicates that converting Main to two-way traffic flow will not result in any detrimental effect on the level of service (or safety) being provided to motorists utilizing the street. However, traffic volumes may increase as a result of a conversion to two-way traffic flow because of the convenience to the City Hall, Courthouse, and federal buildings. The conversion of Main Street to two-way has been recommended in the RTKL Plan and the Core Area Plan.

To convert Main Street to carry two-way traffic, staff recommends the following:

- Convert the section from Douglas to 13th, leaving the section between 13th and 21st Streets one-way.
- Reconstruct the street only in the section from Douglas to Elm (the first street north of the Courthouse), leaving the existing sidewalks and landscaping in place.
- The section recommended for reconstruction should be constructed to carry two lanes southbound, one lane northbound and a center left turn lane. This would result in a pavement width similar to what currently exists.
- North of Elm, Main Street would not be reconstructed, but would only be restriped. Between Elm and 9th, Main Street would carry two lanes southbound, one lane northbound and a left turn lane. North of 9th, Main Street would carry only one lane of traffic in each direction.
- A future project be scheduled in the Capital Improvement Program to add streetscape and other aesthetic features to the Main Street Corridor from Douglas to Murdock.

The current Capital Improvement Program contains funding for this project in the amount of \$2.5 million. This amount may be sufficient to reconstruct and reconfigure the street as discussed previously with no streetscape, sidewalk and other aesthetic enhancements.

Mayor Knight momentarily absent with Vice Mayor Lambke in the Chair.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard.

Roger Bell

Roger Bell spoke of concerns regarding parking. Three parking spaces would be lost in front of his building in order to access the parking lot. Signage would have to be changed to allow viewing from a two-way street; however, this is surmountable. If the streets are changed, Mr. Bell suggested the City consider waiving of requirements for approaches and drives.

Mayor Knight

Mayor Knight said the SSMID, DDC, DABs, and Staff should review the proposed changes.

Motion --

-- carried

Cole moved that this Item be referred to DDC, SSMID, and all DABS for review and recommendations, and be returned to the City Council. Motion carried 7 to 0.

LIQUOR TAX

ADMINISTRATION OF THE SPECIAL LIQUOR TAX PROGRAM.

Cathy Holdeman

Administrative Services Director reviewed.

Agenda Report No. 01-0422.

On December, 1999, the City Council approved privatization for the administration of the Special Liquor Tax dollars. A Request for Proposal (RFP) for program administration services was initiated and COMCARE was approved as the program administrator in March, 2000. They are responsible for the following activities:

1. Monitor and refine the outcome-based measurements developed by the providers
2. Provide financial management by reviewing/approving invoices for service
3. Develop a coalition to provide recommendations addressing both programatic and funding priorities

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 475

4. Provide oversight of pilot programs (new and innovative programs)
Prepare a report to the City Council on the activities of the program administrator including the effectiveness of outcome-based measurements, funding recommendations, and the work of the coalition

Over the past year, COMCARE, as program administrator, has reviewed each provider's outcome-based reports on a quarterly basis. Several providers have been required to refine measurements to better document the quality and effectiveness of their work. Additionally, COMCARE has established a coalition comprised of professionals knowledgeable of the individual and societal effects of alcohol and substance. The coalition meets monthly and is charged with providing recommendations on funding to providers as well as defining gaps in service delivery and recommending actions to address those gaps.

The current contract for administrative services is \$89,000 and can be renewed for a second year at this same amount. Funds are available from the Special Liquor Tax Fund.

Deborah Donaldson Deborah Donaldson, COMCARE, gave an overview of the work done in 2000.

Council Member Gale momentarily absent.

Mayor Knight Mayor Knight inquired whether anyone wished to be heard and no one appeared.

Motion -- Pisciotte moved that the Agreement/Contract be approved and the necessary signatures be authorized.
-- carried Motion carried 7 to 0.

CITY ARTS. FORMER ARTS AND CRAFTS CENTER PROPERTY – 25TH STREET AND ARKANSAS. (District VI) EVERGREEN PARK

Cathy Holdeman Administrative Services Director reviewed the Item.

Agenda Report No. 01-0423.

In February 1999, the City Council approved a lease with SER Corporation to utilize the City-owned building located at 2601 North Arkansas. In addition, the City agreed to provide funding to perform necessary repairs to preserve the existing building. Under the terms of the lease, SER was to be responsible for any building modifications to house the proposed use/services. Following the execution of the lease the SER group sought to expand the facility or to find other larger space that would economically house their operations and related uses.

An architect developed cost data for the remodeling of the building and parking improvements, providing an addition to the existing building and/or constructing a new building. Following the issuance of this architectural report, SER requested that the building be demolished to allow for a new building to accommodate all of the requests for space. This request was referred to the Park Advisory Board who recommended against demolition of the building. Following this action SER initiated a search for space (within the northeast area) to better meet its long term needs.

Recently, SER was able to find a more suitable location with the desired space. Funding support was requested from the City to allow the SER organization to purchase this property. On January 9, 2001, the City Council approved a Community Development Block Grant (CDBG) loan in the amount of \$300,000 with SER providing the balance of project funding from private lenders.

With the decision of SER to terminate its lease of the facility, the City again solicited community uses for the building.

In January 2001, the City initiated a Request for Proposal (RFP) to seek interested parties for the use, administration and operation of the City Arts & Crafts Center facility and associated grounds to serve the surrounding community. The RFP stated that the desired use of the facility should be targeted as a Multi-Cultural facility with youth programming. One of the primary considerations will be the

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 476

maximum benefit to all cultures in the community as opposed to restricted use by one agency. The RFP requested that all proposers demonstrate financial resources, experience and community support for proposed services/programs and to not require City involvement and/or subsidy.

Two proposals were received; one from the Wichita Public Library and the other from the Wichita Public Schools.

Wichita Public Library – Head Start Proposal : The Wichita Public Library proposes to use two-thirds of the facility for traditional library services and operate the facility as a District Branch Library. The circulation will be tailored to the demographic makeup and needs of the neighborhoods served. They are proposing to implement a tool lending library based upon neighborhood interest and to provide advanced computer technology. Additionally, the Library will make available meeting space to neighborhood residents/groups and is willing to create a neighborhood advisory group to provide input into services and programs offered to the neighborhood.

Head Start classrooms and programs will occupy the remaining one-third. Head Start also plans on offering space in their portion of the facility to H.O.P.E and Wichita Acts on Truancy.

The Library would contract with the Public Works and Park Departments for facility maintenance. If approved, the Library Board's intentions are to consolidate Minisa and Marina Lakes branches into this proposed new Library site.

The cost for renovation and additional furniture and fixtures has not yet been determined – pending architectural and bidding requirements. Head Start has indicated that it could contribute \$410,000 for its share of the renovation costs.

The Library estimates its total annual operating budget to be approximately \$286,180, which includes operations and maintenance (staffing) costs. Although the closure of Marina and Minisa branch libraries results in a savings of \$174,060 annually, the Library estimates that an additional \$112,120 might be necessary to staff this facility as a District Library level. Head Start will contribute approximately \$10,860 annually to maintenance, grounds keeping and other contractual expenses, but is asking for a rent waiver for the first five years of occupancy.

School District Proposal: The School District proposes to use only 4,000 square feet of the 14,300 square foot facility for a Hispanic Community Learning Center. Its proposed use as a Hispanic Learning Center (drop out recovery/failed course completion) includes Even Start Family Literacy Program courses such as: Pre-Kindergarten Classrooms (4 year old At-Risk Program); Adult GED; Training; Family Literacy; and Migrant Recruiting. Additionally, the facility will serve as a Wichita Area Technical College Satellite center; Parents as Teachers Resource Center, and West Side Staff Development Center.

The School District suggests that they will co-market the facility and split proceeds from subleases. They will maintain the grounds and provide internal maintenance and repair. They are requesting that the City eliminate all rent and fees, pay all utilities, pay for all upgrades to the facility (HVAC, ADA, structural), pave and stripe the parking lot, maintain the exterior of the building and provide signage.

Reviews of Proposals: District Advisory Board VI, first reviewed this proposal at its March 15, 2001 meeting. Due to a lack of a quorum, the Board again considered this project at its March 21, 2001 meeting. They voted unanimously to approve the Library -Head Start proposal.

The Park Board will review the proposals on Friday, March 23, 2000, and its recommendation will be forthcoming.

Both the Wichita Public Library Proposal and the School District Proposal require the City to remodel the facility to address proposed needs. The Library proposal provides for a \$410,000 contribution by Head Start for facility renovation. Additionally, operation and maintenance costs are in both the Library and Head Start budgets. The Library does realize some savings by closure of the two branches (\$174,060); however, staffing requirements at the new Library will require it to increase its budget by \$112,120 (projected). Neither proposal provides funding for rent. The School District will share rent

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 477

proceeds should a tenant(s) be found for the vacant and remaining portion of the facility (it requests that the City co-market available space).

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Motion --

Cole moved that the Library Head Start proposal and necessary budget adjustments be approved; Staff be authorized to negotiate lease terms and conditions; and the necessary signatures be authorized.

-- carried

Motion carried 7 to 0.

RECESS

The City Council recessed at 10:57 a.m. and reconvened at 11:07 a.m.

TOURISM PLAN

PRESENTATION OF CONVENTION AND VISITORS' BUREAU BUDGET FOR 2001 IMPLEMENTING THE TOURISM MASTER PLAN.

Jessica Johnson

City Manager's Office reviewed the Item.

Ray Trail

Director of Finance reviewed the financial considerations.

Matt Kuzma

Matt Kuzma gave a presentation on the budget.

Agenda Report No. 01-0424.

During 1996 and 1997, Mayor Bob Knight called together 150 individuals (Long Range Planning Task Force) to participate in planning for the future of economic development in Wichita and Sedgwick County. At this meeting, citizens, business leaders and various governmental officials began the planning process by identifying what they felt to be the critical issues to be addressed in any economic development initiative. From these meetings, committees were formed to address principal objectives felt necessary to the economic well-being of the community. The results of Long Range Planning Task Force Committees were later provided to an overall Strategic Business Planning group who received the information and established what it felt to be the most important community priorities and goals to guide community planning efforts. Since this time, significant progress has been made in addressing virtually all of the priorities established.

One of the priority goals was Tourism & Marketing. In response to this directive, the Mayor hosted a Tourism and Meetings Summit in the Fall of 1999. Over 225 individuals, representing seven counties and involved in the travel, attractions, convention and tourism industry were present to develop a cooperative and regional approach in attracting tourism and making this part of the State a designation for conventions and tourism. Following this one and one-half day strategy session, a Strategic Planning Task Force on Tourism was appointed by the Mayor to evaluate current programs and marketing, identify barriers, define solutions to expanding tourism and meetings, and develop the necessary steps, strategies and initiatives required to strengthen and expand the local tourism market. The Task Force recommended the selection of the Nucifora Consulting Group to assist in the development of a Master Plan for Marketing to the Leisure and Convention Visitor. This Plan was completed and presented to the Wichita Tourism Council in August, 2000, and later to the participants of the Second Tourism and Meeting Summit. The groups receiving the report have since endorsed the Plan and recommended its implementation.

It has been the opinion of all of the groups and organizations involved, including the Strategic Planning Task Force on Tourism, City Council, Convention & Visitors Bureau, Tourism Summit participants, and others that the Plan represented strategic action steps necessary for this region to accomplish its objectives to significantly expand tourism and convention business. The Plan calls for greater leadership on the part of the Wichita Convention and Tourism Bureau, collaboration and cooperation from all regional attractions, and an increase in financial support from the community from both the private and public sectors. With the implementation of the programs (described in the Master Plan), the Wichita area will be better positioned to become a major tourism marketplace in the Midwest.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 478

The management and primary implementation of the Master Plan will be (under the contract), the responsibility of the Wichita Convention & Visitors Bureau (CVB), subject to the following:

- CVB Board of Directors is to be restructured, where necessary, to include primary and majority representation from tourism-related constituencies; including: hospitality, transportation, attractions, retail, dining, aviation, City and County government, ethnic markets and airlines. (Some changes have already been implemented.)
- The Master Plan budget will be significantly increased through additional funding from the City of Wichita, and include expanded funding from other public agencies and the private sector.
- CVB headquarters is to be relocated in the future to the Boathouse area to become the nexus of convention and downtown tourism activities.
- The services of a management consultant be retained to assess current staffing levels, performance, and future organizational planning/programming.

The key elements (above) of the Plan have been (or are being) implemented, The recommendations will establish the work plan for the coming and future years to meet the objectives and strategies of the Master Plan.

After review by City Staff and representatives of the Wichita Convention & Visitors Bureau, the contract and goals have been agreed upon to implement the Tourism Strategies. However, to further the intent of the Plan and strengthen the cooperative partnerships and organizational effectiveness, several additional suggestions are offered for consideration, including:

- To increase regional cooperation and develop area-wide support, the CVB should consider a possible name change to further the regional partnerships and marketing of tourism attractions.
- To improve coordination between City and CVB staffs, a City Staff member (designated by the City Manager) be added as an ex-officio member of the Board, CVB along with the designated City Council Member (Mayor).
- To provide for maximum accountability for the management of the Master Plan, a task force with representatives from the CVB Executive Committee and the hospitality industry, tourism attractions, and the university research communities, will be established to develop qualified and qualitative performance measures to monitor and evaluate the performance of the contract and accomplishments of the Plan.
- To carry out the Plan and implement the full budget, as presented, the CVB be charged with significantly expanding its membership and private financial support, as determined by the task force.
- To ensure timely and accurate reporting and maximization of Guest Tax proceeds, the City Staff be authorized to remove from the State's administration the collection and reporting system for Wichita Guest Taxes.
- To assist in the support of the implementation of the Tourism Plan and budget, the implementation of an "ear-marked" vehicle rental revenue source be investigated.

To support the CVB in its efforts, the City will agree to provide additional support to the CVB for effective implementation of strategies involving: (1) Web Marketing (to be performed by the City's Information Technology Department); (2) Internal Marketing to be implemented in cooperation with Sedgwick County; and (3) Explore the feasibility of utilizing services of Wichita State University to develop quantifiable and qualitative research for tourism and convention-related business and marketing.

Anticipating the Council's approval of the expanded services being implemented by the CVB, Staff has reformulated its budget to identify a major financial commitment to the tourism initiative. Operating and capital efforts now funded from the Tourism & Convention Special Revenue Fund will be reallocated to the General Fund (approximately \$300,000) and Debt Service Fund (approximately \$200,000) so that fiscal capacity from Guest Tax revenues is available to support implementation of the Master Plan. Together with other resources within the Tourism & Convention Fund, these actions will provide a total of approximately \$600,000 (annually) in City funding that will be used to undertake

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 479

expanded convention, tourism and marketing efforts and to leverage anticipated funding from other public and private agencies.

Mayor Knight

Mayor Knight inquired if anyone wished to be heard and no one appeared.

Council Member Cole

Council Member Cole said she would have to vote against this Item as she had requested (and had not received) specifications for an RFP or any proof of correctional actions.

Motion --

-- carried

Knight moved that the Contract be approved; and the budget adjustments and necessary signatures be authorized. Motion carried 6 to 1. Cole – No.

CITY COUNCIL AGENDA

APPOINTMENTS

BOARD APPOINTMENTS.

No appointments were made.

PROCLAMATION

PROCLAMATION:

--Fair Housing Month

Motion -- carried

Knight moved that the Proclamation be authorized. Motion carried 7 to 0.

CONSENT AGENDA

Knight moved that the Consent Agenda, including Addendum Item No. 25a, be approved in accordance with the recommended action shown thereon. Motion carried 7 to 0.

BOARD OF BIDS.

REPORT OF THE BOARD OF BIDS AND CONTRACTS DATED MARCH 26, 2001.

Bids were opened March 23,2001, pursuant to advertisements published on:

2001 Contract maintenance mill and overlay - Phase I - at various locations (472-83338 /132710/ 621326/533243) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, IV and VI)

Cornejo and Sons Construction - \$721,300.00

2001 Contract maintenance bridge deck resurfacing of the east-bound lanes of Lincoln Street Bridge over I-135 - Lincoln, east of Hydraulic. (472-83350 /706809/405274) Traffic to be maintained during construction using flagpersons and barricades. (Districts I, II, IV and VI)

Wildcat Construction - \$150,000.00

Water distribution system to Serve Ridge Port Addition - east of Ridge, north of 29th Street North. (448-89266/735005/470675) Does not affect existing traffic. (District V)

Nowak Construction - \$50,117.00

Water distribution system to serve Regency Park Addition - west of Greenwich, south of 29th Street North. (448-89542/735006/470676) Does not affect existing traffic. (District II)

Nowak Construction - \$22,946.00

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 480

Storm Water Sewer No. 544 to serve Auburn Hills 12th Addition - south of Maple, west of 135th Street West. (468-83180/751291/485182) Does not affect existing traffic. (District V)

Jayhawk Contractors - \$284,850.00 (Negotiated to Engineer's estimate)

Knight moved that the contract(s) be awarded as outlined above, subject to check, same being the lowest and best bid within the Engineer's construction estimate, and the and the necessary signatures be authorized. Motion carried 7 to 0.

VARIOUS DEPARTMENTS/VARIOUS DIVISIONS: Concrete Requirements. (132335)

Concrete Materials Co. - \$49.50 (Item 1/per cubic yard)
\$60.50 (Item 2/per cubic yard)
\$47.25 (Item 3/per cubic yard)
\$53.50 (Item 4/per cubic yard)
\$50.05 (Item 5/per cubic yard)
\$55.75 (Item 6/per cubic yard)
\$ 5.00 (Item 7/per cubic yard)
\$ 1.00 (Item 8/per cubic yard)
\$ 1.00 (Item 9/per cubic yard)
\$ 2.00 (Item 10/per cubic yard)
\$ 5.00 (Item 11/per cubic yards)

PUBLIC WORKS DEPARTMENT/MAINTENANCE DIVISION: Furnish Compactor Trucks and Open Dumpster Services for Neighborhood Cleanup. (130054)

Waste Connections, Inc. of Wichita \$135.00 (Item 1/cost per hour)
\$ 50.00 (Item 2/cost per each)
\$110.00 (Item 3/cost per each)

Knight moved that the contract(s) be awarded as outlined above, same being the lowest and best bid, and the necessary signatures be authorized. Motion carried 7 to 0.

CMB APPLICATIONS APPLICATIONS FOR LICENSES TO RETAIL CEREAL MALT BEVERAGES:

<u>Renewal</u>	<u>2001</u>	<u>(Consumption on Premises)</u>
Maria R. Tena	Angela's Café*	901 East Central
Nhong Nguyen	My Canh Restaurant*	3205 East 41st Street
		<u>(Consumption off Premises)</u>
Mark Boswell	Midway Oil #8	2199 North Woodlawn
Mark Boswell	Midway Oil #11	895 South Woodlawn

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

Motion -- carried Knight moved that the licenses be approved subject to Staff approval. Motion carried 7 to 0.

PLANS AND SPECS. SUBDIVISION PLANS AND SPECIFICATIONS.

There were no Subdivision Plans and Specifications submitted.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 481

PRELIMINARY ESTS. PRELIMINARY ESTIMATES:

- a) Central Avenue from 100 438 West of C.L. of Woodchuck to 141 175 East of C.L. of Winterset - Central and Ridge Road. (87 N-0128-01 472-83057/706805/200271) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$3,729,464.85
- b) 2001 Contract maintenance preparatory curb and gutter repairs and miscellaneous concrete repairs - City limits. (472-83333 /132710/) Traffic to be maintained during construction using flagpersons and barricades. (District All) - \$200,000.00
- c) Water distribution system to serve Brush Creek Third Addition - east of Woodlawn, south of 37th Street North. (448-89531/735003/470673) Does not affect existing traffic. (District I) - \$74,000.00
- d) 2001 contract maintenance asphalt thermal crack, slurry seal and various street repairs - north of 55th South, east of 119th Street West. 472-83343/131532/) Traffic to be maintained during construction using flagpersons and barricades. (District III, V & VI) - \$245,000.00
- e) 2001 contract maintenance heater scarification and overlay - various locations. (472-83337/132710/) Traffic to be maintained during construction using flagpersons and barricades. (District I, II, IV & V) - \$265,000.00
- f) Sanitary sewer reconstruction at Pawnee and Topeka - east of Broadway at Pawnee. (468-83075/620284 /660409) Traffic to be maintained during construction using flagpersons and barricades. (District III) - \$111,555.00
- g) Lateral 458, Southwest Interceptor Sewer to serve Hanhardt Addition - west of Hoover, south of Harry. (468-83125/743848/480536) Traffic to be maintained during construction using flagpersons and barricades. (District V) - \$21,800.00
- h) Bedford and Bedford Courts in Cedar View Second Addition- north of Lincoln, east of Greenwich. (472-83300/765665/490776) Does not affect existing traffic. (District II) - \$353,500.00

Motion -- carried Knight moved that the Preliminary Estimates be received and filed. Motion carried 7 to 0.

DEEDS/EASEMENTS DEEDS AND EASEMENTS:

Waterline Easement dated February 6, 2001, from Wal-Mart Real Estate Business Trust for a tract of land in Lot 1, Block 1, Newmarket Square, an addition to Wichita, Sedgwick County, Kansas (Newmarket Waterline - OCA #734997). No cost to City

Motion -- Knight moved that document be received and filed; and the necessary signatures be authorized. Motion
-- carried carried 7 to 0.

SHOAL CREEK PETITION TO CONSTRUCT A SANITARY SEWER TO SERVE SHOAL CREEK ADDITION - WEST OF 143RD STREET EAST, SOUTH OF CENTRAL. (District II)

Agenda Report No. 01-0425.

The Petition has been signed by one owner, representing 100% of the improvement district. It will be part of the Four Mile Creek sewer system being acquired by the City of Wichita from Sedgwick County government.

This project will provide sewer service to a residential development.

The Petition totals \$426,000. The funding source is special assessments.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 482

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-115

Resolution of findings of advisability and Resolution authorizing construction of Lateral 303, Four Mile Creek Sewer, (west of 143rd Street East, south of Central) 468-83233, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

AUBURN HILLS

PETITION FOR STORM WATER SEWER TO SERVE AUBURN HILLS TWELFTH ADDITION – WEST OF 135TH STREET WEST, SOUTH OF MAPLE. (District V)

Agenda Report No. 01-0426.

On November 14, 2000, the City Council approved a Petition for a Storm Water Sewer to serve Auburn Hills 12th Addition. An attempt to award a construction contract within the budget set by the Petition was not successful. The developer has submitted a new Petition with an increased budget.

The project will provide drainage improvements for a new residential development on the City's Auburn Hills Golf Course.

The original Petition totaled \$278,000. The new Petition totals \$340,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-116

A Resolution amending Resolution No. R-00-398 pertaining to the construction of Storm Water Sewer No. 544 (west of 135th Street West, south of Maple) Project No. 468-83180, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

GATEWAY CENTER

PETITION TO CONSTRUCT A STORM WATER DRAIN TO SERVE THE GATEWAY CENTER ADDITION - SOUTH OF 13TH, EAST OF GREENWICH. (District II)

Agenda Report No. 01-0427.

The Petition has been signed by one owner, representing 100% of the improvement district.

This project will provide a drainage system for a new commercial development.

The Petition totals \$81,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or owners of the majority of the property in the improvement district.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 483

Motion -- carried

Knight moved that the Petition be approved and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-117

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 159 (south of 13th Street, east of Greenwich), 468-83208, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SHELLY'S ORCHARD PETITIONS FOR PAVING, SANITARY SEWER, AND WATER DISTRIBUTION SYSTEM TO SERVE SHELLY'S ORCHARD ADDITION - EAST OF MAIZE, NORTH OF PAWNEE. (District V)

Agenda Report No. 01-0428.

The Petitions have been signed by one owner, representing 100% of the improvement districts.

These projects will provide paving, and sanitary sewer and water lines to a new residential development.

The Petitions total \$665,000. The funding source is special assessments.

State Statutes provide that a Petition is valid if signed by a majority of resident property owners or by the owners of the majority of the property in the improvement district.

Motion -- carried

Knight moved that the Petitions be approved and the Resolutions be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-118

Resolution of findings of advisability and Resolution authorizing construction of Lateral 467, SWI, (east of Maize, north of Pawnee) 468-83218, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-119

Resolution of findings of advisability and Resolution authorizing improving of Lotus, from the east line of Maize to the south line of Lydia; Lydia Circle/Lydia, from the west line of Crestline to and including cul-de-sac; Lotus Court, from the south line of Lotus to and including cul-de-sac (lots 76-80, Block 1); and Lotus Court, from the south line of Lotus to and including cul-de-sac (Lots 61-751 'block 1. Sidewalk along Lotus/Lydia, (east of Maize, north of Pawnee) 472-83326, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-120

Resolution of findings of advisability and Resolution authorizing CONSTRUCTION OF water Distribution System Number 448-89549, (east of Maize, north of Pawnee) 448-89549, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 484

BOARDS MINUTES

MINUTES OF ADVISORY BOARDS/COMMISSIONS:

Design Council, 1-18-2001
District III Advisory Board, 1-30-2001
Design Council, 1-31-2001
District III Advisory Board, 2-6-2001
District IV Advisory Board, 2-7-2001
Metropolitan Area Planning Commission, 2-8-2001
Board of Electrical Appeals, 2-13-2001
Design Council, 2-15-2001

Motion -- carried

Knight moved that the Minutes be received and filed. Motion carried 7 to 0.

ANNUAL REPORTS

ANNUAL REPORTS OF ADVISORY BOARDS/COMMISSIONS – YEAR ENDING DECEMBER 31, 2000:

Deferred Compensation Board
Wichita Employees' Retirement System
Police and Fire Retirement System
Historic Preservation Board

Motion -- carried

Knight moved that the Reports be received and filed. Motion carried 7 to 0.

STREET CLOSURES

CONSIDERATION OF STREET CLOSURES/USES.

There were no street closures considered.

KDOT

CONSTRUCTION ENGINEERING AGREEMENT FOR CENTRAL STREET – BIG DITCH TO WOODCHUCK. (District V)

Agenda Report 01-0429.

Central and Ridge Road was included in the 1999 Capital Improvement Program as part of the Arterial Corridor Program (CIP No. MS-208011), which was approved by the City Council on May 19, 1998. The project is financed by a combination of City General Obligation Bonds and Federal Grants administered by the Kansas Department of Transportation (KDOT). On August 10, 1999, the City Council approved the project for construction. An Agreement between the City and KDOT for construction engineering services has been prepared.

Improvements are needed to improve traffic carrying capacity and to increase safety. Construction is expected to begin this within the next few weeks and be completed by November.

KDOT will reimburse the City for 80 percent of the cost for construction engineering services, which has an upper limit of \$235,071.35.

Motion --

-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 485

KDOT

STREET RESURFACING PROJECT ON KELLOGG – KANSAS TURNPIKE EAST TO 127TH STREET. (District II)

Agenda Report No. 01-0430.

The Kansas Department of Transportation (KDOT) has available a street resurfacing (KLINK) program for cities which have highway connecting links within their city limits. The KLINK program is intended for resurfacing improvements on the connecting links, which are maintained by the cities.

KDOT has advised the City of Wichita that KLINK Fiscal year 2001 funds in the amount of \$150,000 have been allocated for a resurfacing project on Kellogg from the Kansas Turnpike east to 127th Street (eastbound lanes only).

The Agreement provides that KDOT will reimburse the City in the amount of fifty percent of the approved construction cost including construction engineering and contingencies, but not to exceed a maximum of \$150,000.

Funding in the amount of \$300,000 is available in the Street Maintenance Operating budget. Fifty percent of the costs, not to exceed \$150,000 will be reimbursed to the City by KDOT.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

ENCROACHMENTS

EASEMENT ENCROACHMENTS AGREEMENTS. (Districts I, III, V, and VI)

Agenda Report No. 01-0431.

The Agreements allow the property owners to occupy and construct for their properties, improvements on, over and across the aforesaid public easements described as shown on the exhibits for each Encroachment Agreement and hereinafter referred to as Tract "A" and said property owners waive all rights of action in law arising out of the encroachments into the easements.

The Agreements allow the City to be held harmless from any and all claims resulting from leaking, cave-in or failure of sewer lines lying within the respective Tract "A" for each Agreement, and from claims resulting from replacement or upgrade of lines, manholes, and/or other Water and Sewer Department facilities or City owned property within in the easements.

There are no financial considerations.

Motion --
-- carried

Knight moved that the Agreements/Contracts be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

HELICOPTER

HELICOPTER MAINTENANCE – POLICE DEPARTMENT.

Agenda Report 01-0432.

The Wichita Police Department's Air Section currently operates two Schweizer Model 300 Aircraft. The Adopted budget includes funding for a full time Helicopter Mechanic position. The Air Section's first and only civilian helicopter mechanic retired in 1997. Since that time, maintenance has been performed through the use of contractors, while the City has unsuccessfully recruited for the full time position. The most recent private contractor for this service has resigned, leaving the unit without mechanic service. Lack of mechanic service jeopardizes safe operations.

A new Police Helicopter has been included in the Adopted CIP. Since the mechanic position qualifications may change in the future depending on the type of helicopter purchased, in the interim the Department will cease recruitment of a City mechanic and rely exclusively on contracted maintenance.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 486

Staff contacted every Fixed Base Operator in the area, and located a vendor qualified to perform maintenance. This vendor is Ballard Aviation. Contracted maintenance will be performed at \$55 per hour. An estimated 500 hours of maintenance will be used. In addition, the City will reimburse the vendor for required certification exams.

The Police Department budget includes funding for a Helicopter Mechanic position. This position has been vacant and there are turnover savings that can be re-directed to fund the contracted maintenance.

The Contract will be approved as to form by the Law Department.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

RALPH WULZ

RALPH WULZ TENNIS CENTER. (District VI)

Agenda Report No. 01-0433.

In 1999, the City Council approved an action plan for the Ralph Wulz Riverside Tennis Center. Included in the plan was approval of a contract with a tennis consultant to provide services related to facility development and programming changes. The consultant developed tennis programs and was able to generate tournament and instructional activity for the Center.

The consultant's contract has ended but is currently engaged in private fund-raising activities to support an indoor tennis court expansion.

In accordance with the plan, it is now proposed that a full-time tennis professional position be added to oversee the Center's operation.

For the Ralph Wulz Riverside Tennis Center to continue the positive momentum developed in 1999 and 2000, the Center needs leadership and professional management. Earlier this year, staff solicited proposals for professional management services to include the development of tournaments, establish group and private tennis lessons, management of the pro shop, marketing of the Center, and various other functions.

The proposed contract is being patterned after the City's golf professional contracts and calls for the tennis pro to receive a prorated percentage of revenues generated by Center activities (i.e., commissions), supplemented by a base monthly stipend. Under the pro arrangement, financial projections indicate that the Center can expect to achieve a higher income and cost recovery level - similar to those realized in 2000 under the leadership and management expertise of the consultant.

Requirement of the position has been completed. The individual selected for the position has substantial experience in managing tennis center operations, instructional tennis, and worked closely in support of the Center's consultant. . If the Council approves contract, the position will build on recent progress and allow Center operations to continue moving in a positive direction.

The proposed contract term is one year, with the option available to renew for one additional year by mutual agreement of the City and the tennis pro.

Implementation of the contract's terms may be achieved with no net increase to basic operational costs. A nominal increase in the resale budget will be necessary to provide the flexibility to accommodate anticipated growth in pro shop sales (resale revenues will more than offset resale expenditures). This allocation and shifts of individual budgetary allocations to provide for contract payment to the tennis pro will be reflected in the 2001 Revised budget.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 487

140 N. MOSLEY

EASEMENT ENCROACHMENT AGREEMENT – 140 NORTH MOSLEY. (District VI)

Agenda Report No. 01-0434.

A survey of the property located at 140 North Mosley discovered that the building encroaches upon the public right-of-way at both the southeast and southwest corners. The owner of the property wishes to sell the building. To do so, he needs assurance that the City will not require the building to be removed to resolve the encroachment.

The encroachments range from five inches to three inches in depth and are each about two feet in length. The total are of the encroachments is approximately 2.25 square feet. The agreement allows the encroachments to continue for the life of the building.

There is no financial impact to the City.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

RECYCLING

CONTRACT AMENDMENT FOR RECYCLING COLLECTION SERVICES.

Agenda Report No. 01-0435.

The City of Wichita currently has a contract with Waste Connections Inc. to provide recycling collection services at various recycle drop-off collection containers located throughout the County.

The City Council approved the contract to Waste Connections Inc. on December 8, 1998. The contract for the final option year will be renewed January 1, 2001 until the Landfill closes. Waste Connections Inc. is requesting a rate increase effective April 1, 2001 for this service. The increase is due to escalated fuel costs and the frequency of hauls for the containers.

Currently the cost is \$9,975 per month. Waste Connections is requesting an increase of \$650 per month for a total of \$10,625 per month. Funding is available from Landfill Tipping fees.

The Law Department will approve the contract amendment as to form.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized.
Motion carried 7 to 0.

KECHI SEWER

PROVISION OF SEWER SERVICE TO KECHE.

Agenda Report No. 01-0436.

The town of Kechi is being required by the state to improve their sewage treatment. They have been approached by Bel Aire and Park City to participate in building a wastewater treatment plant, which would be operated by a private business. Kechi prefers to contract with Wichita for sewage treatment. A Contract has been negotiated, pending approval by the Wichita City Council and the Kechi City Council.

Kechi has a contract with the City of Wichita for water service at the present time. The sewer service area proposed for Kechi is bounded by Hillside on the west, 77th Street on the north, ¼ mile east of Rock Road on the east, and 61st Street and 53rd Street on the south.

An 18" gravity sewer line will need to be constructed from approximately 37th Street and Hillside to 53rd Street at which point it would connect to Kechi's sewer line.

The estimated cost for construction of the 18" line is \$1,995,250. Kechi has agreed to pay \$400,000 of the cost and half of the remaining cost would be paid through special assessments. The total estimated

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 488

cost to Wichita would be \$797,625 and will be financed with cash and/or revenue bonds. Revenues from sewer charges are estimated to be \$50,000 in 2002, increasing annually due to growth and rate increases. It is projected that the Kechi line will have paid for itself by 2011, and will have very little impact on the Utility's Debt Service Coverage Ratio or cash flow. No rate increase will be needed.

The Law Department will approve the Contract as to form.

Motion --
-- carried

Knight moved that the Agreement/Contract, subject to Law Department approval, be approved; the CIP to include this project be amended; and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

SUPPLEMENTAL – MUSEUM DISTRICT ROADWAY. (District VI)

Agenda Report No. 01-0437.

On April 11, 2000, the City entered into an Agreement with Professional Engineering Consultants, P.A. (PEC) for making revisions to the Museum District Roadway plans. The fee was \$45,953.

PEC has been asked to design a street light system and landscape lighting in conjunction with the Museum District Roadway. Supplemental Agreement No. 1 has been prepared.

Payment to PEC for the Supplemental Agreement will be made on a lump sum basis of \$4,500, and will be paid by General Obligation Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

DESIGN SERVICES

ARTERIALS, BRIDGES, AND WATER PROGRAM. (Districts I, II, III, and IV)

Agenda Report No. 01-0438.

On November 28, 2000, the City Council authorized the Staff Screening and Selection Committee to select design engineers for the 2001 Arterials, Bridges and Water Program. On February 20, 2001, the Staff Screening and Selection Committee selected consulting firms to perform the design engineering for the CIP Projects, associated petitioned projects, and incidental water and sewer lines.

Following is the list of projects, the firm selected for each project and the maximum fee allowed by the Agreements.

<u>Location/Description</u>	<u>Consultant</u>	<u>Fee</u>
29th Street North, Rock to Webb (MS-205005)	MKEC	\$ 92,000
Central Bridge at Tara (B-241003)	MKEC	\$ 52,424
Harry, I-135 to Geo. Wash. Blvd. (MS-201004)	SRB	\$102,460
Hillside, 17th to 20th Street (MS-200004)	MKEC	\$ 60,950
McLean and Harry; McLean and Lincoln (MS-230001)	Baughman	\$100,000
Central, 143rd to 159th (W-830)	PEC	\$ 44,631

The design fees total \$452,465. The funding source is General Obligation Bonds and Revenue Bonds.

Motion --
-- carried

Knight moved that the Agreement/Contract be approved and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 489

COMMUNITY LAKE COMMUNITY LAKE ASSISTANCE GRANTS – PARK AND RECREATION.

Agenda Report No. 01-0439.

In order to make improvements to property owned by the City of Wichita known as “Cruiser Lake,” located near K-96 and I-35 in northeast Wichita, the Park Department wishes to apply for matching funds from the Kansas Department of Wildlife and Parks through their Community Lake Assistance grant program. One grant in the amount of \$40,000 would provide one large or two smaller ADA accessible fishing docks at the lake. An additional grant, also in the amount of \$40,000, would be used to develop access trails from the parking lot to the fishing docks and to landscape the areas near the docks and the parking lot.

Community Lake Assistance Grant funds are available from Kansas Wildlife and Parks to make improvements at community lake sites. In order to construct two fishing docks at the lake to provide better fishing access, and to add accessible fishing paths and landscaping at the lake, the Park Department requests that the City approve two grant applications. The project to construct one large or two smaller ADA accessible fishing docks will total \$65,000, with grant funds providing 62% of the total (\$40,000) and the City providing the \$25,000 balance. The second project, development of fishing access trails, retaining walls and rampways, and installation of landscaping at the lake, will also total \$65,000, with grant funds providing 62% of this project (\$40,000) and the City providing \$25,000 in matching funds.

The estimated total cost for the two grant projects is \$130,000. The City’s share of the total cost is \$50,000 and is available through funds allocated in the Park Department’s Capital Improvement Program.

Motion --
-- carried

Knight moved that the grant applications and receipt of funds be approved; and the necessary signatures be authorized. Motion carried 7 to 0.

(Addendum No. 25a)
2151 EAST 21ST

PROJECT FINANCING - 2151 EAST 21ST STREET. (District I)

Agenda Report No. 01-0415.

Background: On September 13, 1994, the City entered into a Developer Agreement with UBI Financial Services, Inc. (now Commerce Bank) to develop the Northeast Community Investment project on 21st Street. The Northeast Community Investment Project consists of several components, one of which is a shopping center on the site of the former Madison Square shopping center. Commerce Bank selected the St. Mark Foundation to develop the site as the New Horizon Shopping Center. In connection with this project, St. Mark was provided a \$200,000 CDBG loan. The St. Mark Foundation was unable to complete the project within the time frame required by the contract. Accordingly, the City terminated the St. Mark Foundation CDBG contract on June 8, 2000 and issued a new Request for Proposals (RFP).

On August 22, 2000, following open solicitation for proposals, the City Council designated Alford Development as the Preferred Developer for the redevelopment of 2151 East 21st Street into a retail center. Alford Development assumed the outstanding \$200,000 CDBG loan on the project.

Based on revised economic and financial projections for the 21st Street Retail Center, the project does not appear to be financially viable with the \$200,000 in CDBG funds provided as a loan. The CDBG loan necessitates higher lease rates which hampers the ability to attract local businesses. It also would reduce annual cash flows to dangerously low or negative levels during the first twelve years of the project. This could jeopardize the private bank financing of \$1,137,039 for the project.

Alford Development has requested the CDBG loan be converted to a grant. This would ensure the project is financially feasible and permit lease rates to be competitive with the area to attract local small businesses. The project would also create at least ten full time new jobs. Because of the importance of

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 490

this project to the area developments staff has carefully evaluated the pro forma and reviewed market rates for the area and support the need to convert the loan to a grant to make this project financially feasible to allow it to proceed.

The request does not change the amount of CDBG funds already approved for the project.

Motion --
-- carried

Knight moved that the revision in the CDBG program to modify the loan to a development grant be approved. Motion carried 7 to 0.

IRB – HISTORIC HOTEL

TRUSTEE REQUEST TO SELL IRB PROPERTY; SERIES XIV-A, 1996 – HISTORIC HOTEL PARTNERS OF WICHITA, L.P. (District VI)

Agenda Report No. 01-0440.

Under a Trust Indentures dated as of December 1, 1996, the City of Wichita issued two series of Industrial Revenue Bonds (Series XIV-A, 1996 and Series XIV-B, 1996) to finance an acquisition and rehabilitation of the Broadview Hotel. The Series XIV-B Bonds (purchased by principals or affiliates of the Tenant) were fully subordinate to the Series XIV-A, 1996 Bonds, and by their terms, could not receive any payment upon default until all Series XIV-A Bonds are paid. All of the Bonds went into default in 1999. Under the terms of the Trust Indenture, the Series XIV-A, 1996 Bondholder had broad rights to direct exercise of remedies by the Trustee, but its attempts to take possession from the Tenant were delayed by bankruptcy proceedings until the Spring of 2000. At that time, the Series XIV-A Bondholder took assignment of the Tenant's interest in the IRB Lease through the bankruptcy proceedings.

Commercial Federal Bank, the Series XIV-A, 1996 Bondholder, has subsequently requested the Trustee to sell the project property and apply the proceeds to payment of the Series XIV-A, 1996 Bonds in accordance with the terms of the Trust Indenture. A buyer, Mordechai Boaziz, has been located, to purchase the property for \$2,850,000, which is less than the remaining principal outstanding on the Series XIV-A, 1996 Bonds. The Trustee filed a petition with the State District Court for Sedgwick County, Kansas, seeking approval of the proposed sale, the application of net proceeds to pay the Series XIV-A, 1996 Bondholder, and the cancellation of the subordinate Series XIV-B, 1996 Bonds without payment. By an Order entered February 20, 2001, the court approved the transaction consistent with the Trustee's request. The Trustee and Series XIV-A, 1996 Bondholder now desire to obtain from the City the documents needed to convey and assign those portions of the property held in the City's name under the IRB documents.

The Trustee, in its professional fiduciary capacity, has identified and pursued a course of action to provide some measure of recovery to the senior Bondholder, and the District Court has approved the proposed transaction. Nonpayment of the subordinate Series XIV-B, 1996 Bonds was a risk inherent in the terms of such Bonds from their inception, and the Series XIV-B, 1996 Bondholders did not assert any right to payment in the action filed by the Trustee. Accordingly, it is appropriate for the City, as Issuer of the Series XIV Bonds, to join in the action necessary for the Series XIV-A, 1996 Bondholder to recover a portion of its principal from a sale of the project property.

Costs of the sale will be covered from the sales proceeds, and hence, it will be without financial cost to the City. Payment of the Bonds will end the basis for any further IRB-based tax abatement on the project.

The City Attorney's Office has prepared the form of the Special Warranty Deed and Assignment, and the Termination of Lease. The Trustee is bound by the powers and duties specified in the Indenture, and is under a fiduciary duty to manage and dispose of trust property in accordance with the best interests of the Bondholders. In view of the apparent substantial support for the Trustee's recommendation and the Order of Court approving the sale and authorizing and directing the Trustee to sell the property, the proposed sale appears lawful and appropriate.

Motion --
-- carried

Knight moved that the sale of the property be approved; the Resolution be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 491

RESOLUTION NO. 01-121

A Resolution approving the request of Intrust Bank, N.A. ("Trustee"), to convey certain property Broadview Hospitality Holdings, LLC, (Designee of Mordechai Boaziz), approving the execution and delivery of a special warranty deed and assignment, and a termination of Lease, and approving the execution and delivery of any further documents reasonably necessary to accomplish the sale as requested by the trustee, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PROPERTY ACQ.

ACQUISITION OF 465 COURTLEIGH FOR THE EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 01-0441.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. At the time of approval, there were ten residential and four businesses. Including pending approvals, there are seven residences and four businesses remaining to be purchased. One of the properties to be acquired is 465 Courtleigh, owned by Shirley Ahlf. The site contains 13,000 square feet and is improved with a 1,598 square foot brick single-family residence. The property has three bedrooms and one-and-one-half baths. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was appraised at \$80,000. This amount was offered to the owner and accepted. The owner has already acquired a replacement property and relocated. The site will be processed for immediate demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$90,000 is requested. This includes \$80,000 for the acquisition, \$8,000 for demolition and \$2,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 463 WINDSOR FOR THE EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 01-0442.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. At the time of approval, there were ten residential and four businesses. Including pending approvals, there are seven residences and four business remaining to be purchased. One of the properties remaining to be acquired is 463 Windsor, owned by John O'Neill. The site contains 13,000 square feet and is improved with a 1,829 square foot brick, single-family residence. The property has three bedrooms and two baths. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was appraised at \$142,000. This amount was offered to the owner and accepted. The owners have located a replacement property and will relocate as soon as it is available. The site will then be processed for immediate demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$213,000 is requested. This includes \$142,000 for the acquisition, \$58,500 for relocation, \$10,000 for demolition and \$2,500 for closing costs and title insurance.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 492

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF 17 DRURY FOR THE EAST KELLOGG IMPROVEMENT PROJECT. (District II)

Agenda Report No. 01-0443.

The East Kellogg/Woodlawn Improvement Project was released for active acquisition in December 2000. At the time of approval, there were ten residential and four businesses. Including pending approvals, there are seven residences and four business remaining to be purchased. One of the properties remaining to be acquired is 17 Drury, owned by David and Shirley McElhiney. The site contains 13,000 square feet and is improved with a 2,550 square foot brick single-family residence. The property has four bedrooms and two-and-one-half baths. The planned expansion of Kellogg will require the removal of the improvements and utilization of the entire site.

The property was appraised at \$175,000. This amount was offered to the owner and accepted. The owners have located a replacement property and will relocate on or soon after closing. The site will then be processed for immediate demolition.

Funds have been budgeted in the Capital Improvement Program for acquisitions for this project. The funding source will be General Obligation Bonds paid by local sales tax revenues. A budget of \$325,000 is requested. This includes \$175,000 for the acquisition, \$134,000 for relocation, \$11,000 for demolition and \$5,000 for closing costs and title insurance.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; and the necessary signatures be
Motion carried 7 to 0.

PROPERTY ACQ.

ACQUISITION OF VICINITY OF 33RD STREET NORTH AND OHIO. (District VI)

Agenda Report No. 01-0444.

The Park and Recreation Department has determined a need for additional adult soccer/activity fields in the northern part of Wichita. The site requirements include an area of sufficient size to accommodate two 365' x 225' fields, with access to utilities. Numerous sites were reviewed and rejected because of varied problems. The selected site contains 5.67 acres located in close proximity to the 29th Street North/I-135 interchange.

The property was listed for sale at \$230,000 (\$.93 per square foot (similar land in the area has been listed for \$1.25 to \$.90 per square foot). Sales have ranged from \$.70 to \$1.25 per square foot. The owner has agreed to sell the property for \$195,000, or \$.79 per square foot. The site will accommodate two full-size adult soccer fields with ancillary facilities.

The 2001 Park and Recreation Capital Improvement Program (CIP) includes \$250,000 for land acquisition and development, of which \$195,000 can be applied toward purchase of the property and \$6,000 to closing costs, surveys, and title insurance. Funding for development of the site will be programmed in the CIP allocated for park and recreation land development.

Funding in the amount of \$201,000 for the land purchase is allocated in the 2001 Park and Recreation CIP. The funding source is general obligation bond. Site development costs will be funded from the CIP.

Motion --
-- carried

Knight moved that the budget and the Contract be approved; the necessary signatures be
authorized; and the Resolution be adopted. Motion carried 7 to 0.

RESOLUTION NO. 01-130

A Resolution authorizing issuance of bonds by the City of Wichita at large for acquisition and development of land for park and recreation purposes, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Ayes: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 493

RESOLUTION NO. 01-122

A Resolution authorizing and providing for the funding of acquisition of land located at 33rd Street North and Ohio, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

BUDGET

BUDGET ADJUSTMENT – PROPERTY MANAGEMENT SPECIAL REVENUE FUND.

Agenda Report 01-0445.

The Property Management Special Revenue Fund is a self-sustaining special revenue fund. The management and maintenance of non-project related City properties is paid for from this fund. One of these properties is the Family Inn. The City is actively marketing the property. The roof of the building is in need of repair and this need has negatively impacted the sales potential of the property.

The replacement of the roof has been bid with a low bid of \$43,176. Brokers and potential buyers have indicated that the replacement of the roof will increase the value of the property proportionally. It will also eliminate collateral water damage to the rest of the property.

Property Management's contingency account contains sufficient funds to meet the needs noted above. Total funds required at this time total \$45,000.

Budget transfers/adjustments in excess of \$10,000 require City Council approval.

Motion -- carried

Knight moved that the budget be approved. Motion carried 7 to 0.

ORDINANCES

SECOND READING ORDINANCES: (FIRST READ MARCH 20, 2001)

- a) 21st Street North Improvement – 119th Street West to Maize Road. (District V)

ORDINANCE NO. 44-902

An Ordinance declaring 21st Street North, between 119th Street West and Maize Road, 472-83364, to be a main traffic way within the City of Wichita, Kansas; declaring the necessity of and authorizing certain improvements to said main traffic way; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of same, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- b) Kansas Independent College Finance Authority.

ORDINANCE NO. 44-903

An Ordinance approving and authorizing the City of Wichita, Kansas, to enter into the first amended and restated Interlocal Cooperation Agreement with various cities in the State of Kansas, which agreement amends and restates the Interlocal Cooperation Agreement creating the Kansas Independent Finance Authority, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 494

- c) Wrecker Service Charges Ordinance.

ORDINANCE NO. 44-904

An Ordinance amending Section 3.49.130 of the Code of the City of Wichita, Kansas, pertaining to mileage and storage fees charged by emergency wrecker companies, and repealing the original of said section, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- d) ZON2001-00004, CUP2001-00003, DP-196 Amendment No. 2 - southeast corner of Kellogg and Greenwich Road. (District II)

ORDINANCE NO. 44-905

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended. ZON2001-00004

- e) ZON2001-00006 – Southeast corner of Tyler and McCormick. (District V)

ORDINANCE NO. 44-906

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. ZON2001-00006

- f) ZON2001-00007 – South side of Central and East of the Wichita-Valley Center Floodway. (District V)

ORDINANCE NO. 44-907

An Ordinance changing the zoning classifications or districts of certain lands located in the City of Wichita, Kansas, under the authority granted by the Wichita-Sedgwick County Unified Zoning Code, Section V-C, as adopted by City of Wichita Code Section 28.04.210, as amended, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. ZON2001-00007

- g) A 98-33 - West of 119th Street West, between 9th Street North and 25th Street North. (District V)

ORDINANCE NO. 44-908

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A98-33

- h) A 01-04 – Portion of 119th Street West, north of 21st Street North. (District V)

ORDINANCE NO. 44-909

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A01-04

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 495

- i) A01-05 – Southwest corner of 45th Street North and Oliver. (District I)

ORDINANCE NO. 44-901

An Ordinance including and incorporating certain blocks, parcels, pieces and tracts of land within the limits and boundaries of the City of Wichita, Kansas, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight. A01-05

PAVING PROJECTS: (FIRST READ MARCH 20, 2001)

- a) (490-600/764985/472-82276)

ORDINANCE NO. 44-871

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of the west half of Lark from the south line of Park Glen Addition to the south line of Grant and concrete Sidewalk on the west side of Lark - north of Pawnee, west of Lark, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- b) (490-708/765597/472-82385)

ORDINANCE NO. 44-872

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Pawnee Court to serve Lots 1 through 12, Block 1, Wilderness at the Park Addition - south of Pawnee, east of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- c) 490-328/762252/472-82404)

ORDINANCE NO. 44-873

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of an Alley between Broadway and Topeka from the north line of English to the south line of William, English Addition - south of William, east of Broadway, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- d) (490-379/762765/472-82504)

ORDINANCE NO. 44-874

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Suncrest from the west line of Westridge Village Addition to the west line of Holland Lane to serve Lots 7 through 13, Block E, Westridge Village Addition - west of Ridge, north of 13th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

- e) (490-731/765620/472-82812)

ORDINANCE NO. 44-875

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Regency Lakes, Mainsgate, Brandon,

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 496

Regency Lakes Court, Mainsgate Court, Brandon Circle - north of 21st Street North, west of Greenwich Road, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

f) (490-727/765616/472-82831)

ORDINANCE NO. 44-876

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Maple Dunes Courts adjacent to Lots 9 through 17, Block 4, Maple Dunes Addition - north of Maple, east of 135th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

g) (490-714/765603/472-82834)

ORDINANCE NO. 44-877

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Oak Ridge Circle from the east line of Tyler to include the cul-de-sac, serving Lots 2 through 14 inclusive, Block 1 - north of 29th Street North, east of Tyler, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

h) (490-541/764381/472-82851)

ORDINANCE NO. 44-878

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Patterson from Broadway to the east line of Henry Jones Addition - south of 31st Street South, west of Broadway, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

i) (490-596/764944/472-82904)

ORDINANCE NO. 44-879

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 151st Street West from the north line of US Highway 54, north to the north line of Hendryx - north of Kellogg, east of 151st Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

j) (490-599/764977/472-82936)

ORDINANCE NO. 44-880

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of paving of Lark from the north line of Pawnee to the north line of Lot 7, Block 5 - north of Pawnee, west of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 497

k) (490-681/765570/472-83073)

ORDINANCE NO. 44-881

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Zelta/Laguna, Laguna Court, Zelta Courts, and; Sidewalk on the west and north sides of Zelta/Laguna from the north line of Lincoln to the east line of Lot 18, Block 1, Woodland Lakes Estates 2nd Addition - north of Harry, east of Greenwich, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

l) (490-723/765612/472-83076)

ORDINANCE NO. 44-882

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Georgia, Gilda, 42nd Street South, and Sidewalk, all in Wheatland Addition - south of MacArthur, west of Hoover, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

m) (490-682/765571/472-83079)

ORDINANCE NO. 44-883

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Holyoke, from the north line of 25th Street North to the south line of 26th Street North - south of 29th Street North, east of Hillside.

n) (490-686/765575/472-83085)

ORDINANCE NO. 44-884

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Walnut, from the north line of Barbara to 458' north of Barbara - north of 31st Street South, east of Seneca, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

o) (490-687/765576/472-83086)

ORDINANCE NO. 44-885

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Barbara, from the east line of Seneca to the west line of Osage to serve F.A. Brown's Addition; Heersche's Replat; Taton Addition; Gold's Addition; Sedona Addition and Palin Addition, - north of 31st Street South, east of Seneca, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

p) (490-706/765595/472-83100)

ORDINANCE NO. 44-886

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Brentwood from the north line of Clark to the south line of Mt. Vernon - north of Pawnee, east of Hillside, read for the second time. Knight

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 498

moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

q) (490-710/765599/472-83107)

ORDINANCE NO. 44-887

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Chateau, Mount Vernon, Smithmoor Street, Leeanne Lane, Smithmoor Ninth Addition - south of Harry, west of Greenwich, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

r) (490-701/765590/472-83121)

ORDINANCE NO. 44-888

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Holyoke from the north line of 26th Street North to the south line of 27th Street North - south of 29th Street North, east of Hillside, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

s) (490-705/765594/472-83129)

ORDINANCE NO. 44-889

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Bebe and Irving from the north line of Walker to the west line of Anna - north of Harry, east of Hoover, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

t) (490-725/765614/472-83183)

ORDINANCE NO. 44-890

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Hickory Creek, Harvest Lanes, Harvest Lane Courts, and including the cul-de-sac, to serve Hickory Creek Addition - south of 13th, west of 119th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

u) (490-729/765618/472-83187)

ORDINANCE NO. 44-891

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of 36th Street North, from the east line of Lot 7, Block 1 to the west line of Ridgewood, and on Ridgewood, from the south line of 37th Street North to the south line of 36th Street North - east of Oliver, south of 37th Street North, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 499

v) (490-728/765617/472-83189)

ORDINANCE NO. 44-892

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Jewell Circle, from the west line of Lot 24, Block 1 to and including cul-de-sac; Rita, from the south line of Jewell Circle to the west line of Maize Road; and Rita Court, from the south line of Rita to and including cul-de-sac - north of Pawnee, west of Maize, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

w) (490-743/765632/472-83231)

ORDINANCE NO. 44-893

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Decel and Left Turn Lanes in 21st Street North from the northwest corner of Lot 1, Block 1 - south of 21st, west of Webb, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

x) (490-749/765638/472-83242)

ORDINANCE NO. 44-894

An Ordinance levying assessments on lots, pieces, and parcels of land in the City of Wichita, Kansas, for the purpose of paying a portion of the cost of improving of Limuel Circle from the north line of the plat, south to and including the cul-de-sac - south of Maple, east of 135th Street West, read for the second time. Knight moved that the Ordinance be placed upon its passage and adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

PLANNING AGENDA

Motion -- carried

Knight moved that the Planning Agenda Items be approved as consensus Items. Motion carried 7 to 0.

DED2001-05

DED2001-05 – DEDICATION OF UTILITY EASEMENT LOCATED SOUTH OF 13TH STREET, EAST OF HOOVER. (District VI)

Agenda Report 01-0446.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of an associated Lot Split No. SUB 2001-15 and is being dedicated for the purpose of construction and maintenance of public utilities.

The Dedication has been reviewed and approved by the Planning Commission.

Motion --
-- carried

Knight moved that documents be received and filed; and the necessary signatures be authorized
Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 500

DED2001-06

DED2001-06 – CONTINGENT STREET RIGHT-OF-WAY DEDICATION LOCATED SOUTH OF 13TH STREET, EAST OF HOOVER. (District VI)

Agenda Report No. 01-0447.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of an associated Lot Split No. SUB 2001-15 and is being dedicated for a future street along the east line of the plat.

The Dedication has been reviewed and approved by the Planning Commission.

Motion --
-- carried

Knight moved that documents be received and filed; and the necessary signatures be authorized
Motion carried 7 to 0.

DED2001-07

DED2001-07 – DEDICATION OF UTILITY EASEMENT LOCATED WEST OF SENECA, SOUTH OF MACARTHUR. (District IV)

Agenda Report No. 01-0448.

MAPC Recommendation: Accept the Dedication.

This Dedication is a requirement of an associated Lot Split No. SUB 2001-14 and is being dedicated to conform with the standard utility easement width.

The Dedication has been reviewed and approved by the Planning Commission.

Motion --
-- carried

Knight moved that documents be received and filed; and the necessary signatures be authorized
Motion carried 7 to 0.

SUB2000-82

SUB2000-82 – PLAT OF SAVANNAH PLACE ADDITION LOCATED ON THE WEST SIDE OF TYLER, SOUTH OF MAPLE. (District V)

Agenda Report No. 01-0449.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (12-0)

The plat is subject to the Westwood Hills Community Unit Plan (DP-97) which permits neighborhood retail uses for the site.

Petitions, all 100%, have been submitted for sanitary sewer, water and drainage improvements. A Certificate of Petitions has also been submitted.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that documents and plat be approved; the Resolutions be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

RESOLUTION NO. 01-123

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89559, (west of Tyler, south of Maple), in the City of Wichita, Kansas, pursuant to

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 501

findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-124

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89560 (west of Tyler, south of Maple), in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-125

Resolution of findings of advisability and Resolution authorizing construction of Lateral 6, Main 8, Southwest Interceptor Sewer (west of Tyler, south of Maple) 468-83229, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-126

Resolution of findings of advisability and Resolution authorizing construction of Storm Water Drain No. 162 (west of Tyler, south of Maple) 468-83232, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

SUB2001-01-

SUB2001-01 – THE LOCHS AT ABERDEEN LOCATED ON THE NORTH SIDE OF 21ST STREET NORTH, EAST OF 119TH STREET WEST. (District V)

Agenda Report No. 01-0450.

Staff Recommendation: Approve the plat.

MAPC Recommendation: Approve the plat. (9-0)

This replat is zoned SF-6, Single-Family Residential and consists of 24 lots under the 6,000 sq. ft. minimum lot standard through the usage of Cluster Development. The reduction in lot size has been offset by the provision of permanent open space. As required by the Subdivision Regulations, a restrictive covenant was provided ensuring that the open space will not be subdivided in the future.

Petitions, all 100%, have been submitted for drainage, paving, water and sanitary sewer improvements. A Certificate of Petitions has also been submitted. In order to provide access to Reserve A and Reserve B, a cross-lot access agreement was provided across the adjoining property. Due to the reconfiguration of the lots, a respread agreement for special assessments has been provided to City Engineering. In order to provide for the ownership and maintenance of the reserves, the applicant has submitted a restrictive covenant. To provide for off-street parking for lots adjacent to narrow streets, a covenant has also been submitted requiring that four (4) off-street spaces be provided for each such lot. In order to allow for the platting of a street with a narrow or nonstandard right-of-way dedication, a 15-foot street, drainage, and utility easement was platted with a covenant restricting the use of easements.

This plat has been reviewed and approved by the Planning Commission, subject to conditions and recording within thirty (30) days.

The Certificate of Petitions and restrictive covenants will be recorded with the Register of Deeds.

Motion --
-- carried

Knight moved that documents and plat be approved; the Resolutions be adopted; and the necessary signatures be authorized. Motion carried 7 to 0.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 502

RESOLUTION NO. 01-127

Resolution of findings of advisability and Resolution authorizing construction of Water Distribution System Number 448-89555, (north of 21st Street, east of 119th Street West Street) in the City of Wichita, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-128

Resolution of findings of advisability and Resolution authorizing construction of Lateral 3, Main 3, Northwest Interceptor Sewer, 468-83219, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

RESOLUTION NO. 01-129

Resolution of findings of advisability and Resolution authorizing improving of Covington from the north line of Lot 1, Block 2, Aberdeen 3rd Addition to the north line of 21st Street North and Covington Courts adjacent to Lots 2 to 44 the Lochs at Aberdeen and adjacent to Lots 1 to 5, Block 2, in Aberdeen 3rd Addition (north of 21st Street, east of 119th Street West), 472-83359, in the City of Wichita, Kansas, pursuant to findings of advisability made by the Governing Body of the City of Wichita, Kansas, presented. Knight moved that the Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

A01-02

A01-02 – REQUEST TO ANNEX LAND GENERALLY LOCATED ¼ MILE NORTH OF 47TH STREET SOUTH, WEST OF MERIDIAN. (District IV)

Agenda Report No. 01-0451.

The City has received a request to annex approximately 5 acres situated ¼ mile north of 47th Street South on the west side of Meridian. The site's boundaries abut the current City of Wichita Limits. On going septic system problems and a desire to connect the City water and sewer prompted the owner to request annexation.

Land Use and Zoning: The annexation site consists of one (1) contiguous tracts of land zoned "SF-20" Single Family Residential. Land north, south, east, and west of the proposed site is zoned "SF-6" Single Family. Upon annexation, the "SF-20" Single Family Residential zoning of the subject property will convert to "SF-6" Single Family Residential.

Public Services: If the property owner submits a service petition, the City Water and Sewer Department indicates that the subject property proposed for annexation will likely connect to an existing 12" water main along Meridian. Sewer Services will most likely be extended from the Angel Acres subdivision directly west and south of the property proposed for annexation.

Street System: The property proposed for annexation has access to 47th Street South, which serves the area as the nearest major east-west road, and Meridian, which serves the area as the nearest major north-south road. In the City of Wichita 2001-2010 C.I.P, there are plans to improve 47th Street South from Meridian to Seneca by widening the existing roadway to provide two lanes in each direction. Also, there are plans to improve Meridian from I-235 to 47th Street South by replacing the existing two-lane asphalt street with four-lane arterial pavement, including necessary channelization.

Public Safety: The Wichita Fire Department can serve this site within a six (6) to seven (7) minute approximate response time from City Station #19, which is currently located at 600 West MacArthur. It is anticipated that this station will be relocated further west on MacArthur in 2001. Upon annexation, the Patrol South Bureau of the Wichita Police Department, headquartered at 211 East Pawnee, will provide police protection to the area.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 503

Parks: South Lakes Park, a 247-acre park, and Southview Park, a 20-acre park, are located approximately a ¼ mile south and east of the property proposed for annexation. These parks are accessible from 47th Street South approximately a ¼ mile east of Meridian.

School District: The property is located in Unified School District 261 (Haysville School District). Annexation will not change the school district.

Comprehensive Plan: The property is also located within the 2010 Urban Service Area, as depicted in the 1999 Update to the Comprehensive Plan, adopted by the City Council and the County Commission last year.

The total appraised value of the property is \$99,026, which would yield an assessed value of \$11,388. Assuming the current City levy remains about the same (\$31.406/\$1000 x assessed valuation), this would roughly yield \$358 in City annual tax revenues.

The property is eligible for annexation under K.S.A. 12-519, et seq.

Motion --
-- carried

Knight moved that the annexation be approved and the Ordinance be placed on first reading. Motion carried 7 to 0.

ORDINANCE

An Ordinance including and incorporating certain blocks, parcels, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, introduced and under the rules laid over. A01-02

AIRPORT AGENDA

AIRPORT

AIRPORT DEVELOPMENT – UPGRADE AND EXPANSION OF UTILITY INFRASTRUCTURE.

Agenda Report No. 01-0452.

The 2001 Capital Improvements Program (CIP) provides for airport development.

Airport tenants are interested in expanding their facilities. In order to accommodate the expansion, it will be necessary for the airport to upgrade and expand the utility infrastructure. The project will include electrical, water, sewer, and gas extensions and modifications.

The project is estimated to cost \$500,000 which will be funded with General Obligation Bonds paid by airport revenues.

Motion --
-- carried

Knight moved that project be approved; the Resolution be adopted; and the Staff Screening and Selection Committee be authorized to select a consultant.

RESOLUTION NO. A-01-005

A Resolution declaring that a public necessity exists for, and that the public safety, service and welfare will be advanced by the authorization of certain capital improvements to the Wichita Mid-Continent Airport Facility; and setting forth the nature of said improvements; the estimated costs thereof; and the manner of payment of same, presented. Knight moved that Resolution be adopted. Motion carried 7 to 0. Yeas: Cole, Gale, Lambke, Martz, Pisciotte, Rogers, Knight.

CITY COUNCIL PROCEEDINGS

JOURNAL 172

MARCH 27, 2001

PAGE 504

EXECUTIVE SESSION

Motion --

Knight moved that the City Council recess to executive session to consider consultation with legal counsel on matters privileged in the attorney-client relationship relating to legal advice; confidential data relating to the financial affairs or trade secrets of a business, and return to regular session no later than 12:00 noon. Motion carried 7 to 0.

-- carried

RECESS

The City Council recessed at 11:45 and returned at 11:55 a.m.

ADJOURNMENT

The City Council meeting adjourned at 11:55 a.m.

Pat Burnett CMC
City Clerk